

PATENT COOPERATION TREATY

From the:
INTERNATIONAL SEARCHING AUTHORITY

To:

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PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

<p>Date of mailing (day/month/year)</p>	<p>- 3 SEP 2004</p>
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FOR FURTHER ACTION

See paragraph 2 below

Applicant's or agent's file reference
M80708115

<p>International application No. PCT/AU2004/000911</p>	<p>International filing date (day/month/year) 7 July 2004</p>	<p>Priority date (day/month/year) 9 July 2003</p>
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International Patent Classification (IPC) or both national classification and IPC

Int. Cl. ⁷ **B60B 33/02**

Applicant

STOKES, Michael

1. This opinion contains indications relating to the following items:

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|-------------------------------------|---------------------|--|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the opinion |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

<p>Name and mailing address of the IPEA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaaustralia.gov.au Facsimile No. (02) 6285 3929</p>	<p>Authorized Officer</p>
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<p>ASANKA PERERA</p>	<p>Telephone No. (02) 6283 2373</p>
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WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/AU2004/000911

Box No. I Basis of the opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
 a sequence listing
 table(s) related to the sequence listing
 - b. format of material
 in written format
 in computer readable form
 - c. time of filing/furnishing
 contained in the international application as filed.
 filed together with the international application in computer readable form.
 furnished subsequently to this Authority for the purposes of search.
3. In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

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Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	
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1. Statement

Novelty (N)	Claims 11, 22	YES
	Claims 1-10, 12-21, 23-27	NO
Inventive step (IS)	Claims	YES
	Claims 1-27	NO
Industrial applicability (IA)	Claims 1-27	YES
	Claims	NO

2. Citations and explanations:

The following documents identified in the International Search Report have been considered for the purposes of this report:

D1: WO 1991/005672A1
D2: GB 2361179A
D3: GB 2279242A
D4: US 4336629A
D5: GB 2179848A
D6: GB 2160415A
D7: WO 1996/005076A1
D8: AU 199467409A
D9: DE 3212993A1

Novelty (N):

Claims 1-10, 12-16, 27

D1-D6 individually teach the essential features of the invention defined by the above claims 1-10, 12-15, and 27. For example, D1 discloses the slidably mounted complementary locking means (7) and (5) which allows to selectively lock the steering of the castor wheel (14). D1-D3 further discloses the features of claim 16, viz. the actuation of the locking mechanism by the weight imposed on the trolley.

Claims 1, 17-21, 23-27

D7-D9 the essential features of the invention defined by the above claims. For example, D7 discloses a pivotably mounted blocking member (11).

Inventive Step (IS):

Claims 1-10, 12-21, 23-27

As above for Novelty (N).

(Continued in the Supplemental Box)

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Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: Box V.2

Claim 22

Given the level of disclosure of the above citations, using a latch device that includes a magnet is considered to be a non-inventive design variation in the hands of a person skilled in the art.

Claim 11

D7 and D8 individually teach a cam lever (for example see the arm (15) in D7) which is operated by contact with an adjacent trolley. Thus in obvious combination with D1 either of these documents render the subject matter of this claim lacking an inventive step over the disclosure of the same.